

PUBLIC SERVICE COMMISSION OF WISCONSIN

Minutes and Informal Instructions of the Open Meeting of  
Thursday, August 31, 2006

The Public Service Commission of Wisconsin (Commission) met as noticed. Present were Chairperson Ebert and Commissioner Meyer.

**Minutes**

The Commission approved the minutes of the Open Meeting of Thursday, August 17, 2006.

**5-AE-143 – Application for Approval of an Asset Acquisition Agreement Between Upper Peninsula Power Company and American Transmission Company**

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**5740-ER-106 – Application of the City of Stoughton, Dane County, as an Electric Public Utility, for Authority to Increase Electric Rates**

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**6490-ER-104 – Application of the City of Whitehall, Trempealeau County, as an Electric Public Utility, for Authority to Increase Electric Rates**

The Commission approved the Notice of Proceeding and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**6690-CG-159 – Application of Wisconsin Public Service Corporation, as a Gas Public Utility, for Authority to Construct Natural Gas Distribution Facilities in the Village of Suamico and Howard, Brown County, Wisconsin**

The Commission approved the Notice of Investigation and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**6720-TA-124 – AT&T Wisconsin's Notice of Discontinuance of Its Quick Reach Paging Service**

The Commission approved the Notice of Investigation and Request for Comments and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**7648-TI-101 – Application of Nexus Communications, Inc., to Become an Eligible Telecommunications Carrier**

The Commission approved the Notice of Investigation and Request for Comments and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**5-AE-142 – Application of Wisconsin Public Service Corporation, Oconto Electric Cooperative, and American Transmission Company LLC for Approval of an Affiliated Interest Agreement**

The Commission approved the Final Decision and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**4220-SB-126 – Application of Northern States Power Company-Wisconsin for Authority to Issue and Have Outstanding an Any Time Loan Guarantees for its Farm Rewiring Program Not to Exceed \$1,000,000 in Aggregate**

The Commission approved the Draft Certificate and Order and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**4220-UR-114 – Application of Northern States Power Company, d/b/a Xcel Energy, for Authority to Adjust Electric and Natural Gas Rates**

The Commission approved the Order to Reopen and Notice of Prehearing Conference and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**6630-AE-118 – Application of Wisconsin Electric Power Company for Blue Sky Request for Approval of Assignment and Assumption of Contracts**

**6630-AE-119 – Application of Wisconsin Electric Power Company for Green Field Request of Approval of Assignment and Assumption of Contracts**

The Commission approved the Final Decision and directed it be signed by the Secretary to the Commission on behalf of the Commission.

**1-AC-211 – In the Matter of the Proposed Repeal of Chapter PSC 98, Wis. Admin. Code – Rules Within Meaning of and Pursuant to Section 300.304 of the Regulations of the Price Commission**

**Clearinghouse Rule 06-017**

The Commission approved an Order Adopting Proposed Rules to repeal Wis. Admin. Code, ch. PSC 98 (relating to rules created in response to the creation of the Federal Price Commission under the Economic Stabilization Act of 1970), and directed it be signed by the Secretary to the Commission on behalf of the Commission.

The Commission directed staff to submit the Order and Report to the Legislature.

If the Legislative review period expires without further comment or the Legislature approves the rules without change, the proposed rules may be promulgated as final rules without further Commission action. The Secretary to the Commission may sign the Final Order Adopting Rules without returning the Final Order to the Commission calendar.

**1-AC-218 – Repeal of Wis. Admin. Code chs. PSC 7 and 172, and Other Updating**

**Clearinghouse Rule 06-046**

The Commission approved an Order Adopting Proposed Rules to repeal Wis. Admin. Code, chs. PSC 7 (relating to assessments attributable to acid deposition studies and monitoring activities), and 172 (relating to the regulation of certain wireless telecommunications providers), and make other updates, and directed it be signed by the Secretary to the Commission on behalf of the Commission.

The Commission directed staff to submit the Order and Report to the Legislature.

If the Legislative review period expires without further comment or the Legislature approves the rules without change, the proposed rules may be promulgated as final rules without further Commission action. The Secretary to the Commission may sign the Final Order Adopting Rules without returning the Final Order to the Commission calendar.

**137-CE-125 – Application of American Transmission Company, as an Electric Public Utility, for Authority to Replace and Construct Certain Electric Transmission Lines and Related Facilities, Known as the Cranberry-Conover-Plains Project, in Vilas, Forest, and Florence Counties**

The Commission considered and approved the submission of a petition to Dane County Circuit Court seeking an extension of time to take final action on the CPCN application for the Cranberry-Conover transmission line.

**6720-TA-123 – AT&T Wisconsin Notice of Discontinuance of IntraLATA Toll in Certain Areas Outside of its Local Service Territory**

The Commission approved the petition filed on behalf of AT&T to discontinue intraLATA toll service in certain areas, with the condition that AT&T pay for the cost of changing providers for its customers.

The Commission declined to adopt any new procedures for handling reimbursement of the charges for changing providers as proposed in comments submitted by certain incumbent local exchange carriers affected by the petition.

The Commission directed the Telecommunications Division staff to draft an order consistent with this decision.

**7184-TI-102 – Application of Midwestern Telecommunications, Inc., for Authority to be Designated as an Eligible Telecommunications Carrier**

**Determination on Eligible Telecommunications Carrier Application**

The Commission approved the application of Midwestern Telecommunications, Inc., (MTI) for status as an eligible telecommunications carrier.

The Commission granted MTI's request for a waiver of the pay telephone requirements contained in Wis. Admin. Code § PSC 160.13(1)(d).

The Commission directed the Telecommunications Division staff to draft an order consistent with this decision.

**1065-UO-100 – Cheqtel Communications, Inc. Request for Refund of USF Assessment**

**Correction of June 8, 2006 Minute Reflecting Determination of Assessment Objection**

The Commission directed correction of the minute of June 8, 2006, to reflect its determination that the December 2005 USF assessment billing to Cheqtel Communications, Inc., was not erroneous, excessive, unlawful, or invalid.

The corrected minute entry shall read as follows:

The Commission discussed the record in this case and made the following determinations:

1. The USF assessment bill to Cheqtel, calculated and issued in December 2005, was not erroneous, excessive, and unlawful or invalid because it was based on an annual report that contained incorrect revenue data.
2. The corrected USF assessment for Cheqtel should be effective only for USF assessments after the date of the filing of the Cheqtel objection and submission of corrected revenue data.
3. Given the relatively small impact of the Cheqtel adjustment on overall USF assessments, there is no need to recalculate assessments for other providers.

The Commission directed the Telecommunications Division to draft an order consistent with this decision.

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Sandra J. Paske  
Secretary to the Commission